

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

ZOJO SOLUTIONS, INC.,

★ FEB 25 2011 ★

Plaintiff,

LONG ISLAND OFFICE

-against-

ORDER

LEVITON MANUFACTURING CO., INC.,

Defendant.

-----X  
JOSEPH F. BIANCO, District Judge:

On April 12, 2010, defendant Leviton Manufacturing Co., Inc. filed a motion to dismiss in this action. For the reasons set forth in detail on the record on February 25, 2011, the motion to dismiss is granted with leave to re-plead.

IT IS HEREBY ORDERED that, no later than March 18, 2011, plaintiff shall file its first amended complaint.

IT IS FURTHER ORDERED that, no later than March 28, 2011, counsel for the defendant shall provide the Court with a letter regarding whether it requests to renew its motion to dismiss.

SO ORDERED.

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JOSEPH F. BIANCO  
UNITED STATES DISTRICT JUDGE

Dated: February 25, 2011  
Central Islip, New York